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GIBBONS, GUTMAN,
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159711
petition to withdraw holding of plan. 2/12/04
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FACSIMILE COVER SHEET

In re Application of Robert J. DiStasio, et al

Serial No. 10/015,408

Filed: December 12, 2001

For: REMOVAL TOOL FOR LOCKING NUT, BOLT AND CLIP SYSTEMS AND
ASSEMBLIES

Calling: 703-305-8825

Number of pages including cover sheet: 15

Attention: **ANDREW FAILE**

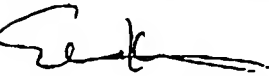
From: Ellen Kotler for Robert C. Kain, Jr.
Fleit, Kain, Gibbons, Gutman, Bongini & Bianco, P.L.
750 Southeast Third Avenue, Suite 100
Ft. Lauderdale, Florida 33316-1153

Return Fax Number: 954-768-0158

IF YOU DO NOT PROPERLY RECEIVE THIS FAX PLEASE CALL (954-768-9002)

Mr. Faile:

Confirming our telephone conversation on February 12, 2004, attached are copies of all the papers
filed in the above case. Thank you in advance for getting these documents to Joe Hail.



Ellen Kotler, Paralegal

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FACSIMILE COVER SHEET

In re Application of Robert J. DiStasio, et al

Serial No. 10/015,408

Filed: December 12, 2001

For: REMOVAL TOOL FOR LOCKING NUT, BOLT AND CLIP SYSTEMS AND
ASSEMBLIES

Calling: 703-872-9306

Number of pages including cover sheet: 14

Attention: Joseph J. Hail, III

From: Robert C. Kain, Jr.
Fleit, Kain, Gibbons, Gutman, Bongini & Bianco, P.L.
750 Southeast Third Avenue, Suite 100
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Return Fax Number: 954-768-0158

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I hereby certify that the following communication (2 pgs.) with attachments (11 pgs.) are being facsimile transmitted to the U.S. Patent and Trademark Office, Attention Supervisor Joseph H. Hail, III, central fax number 703-872-9306, on February 12, 2003.


Robert C. Kain, Jr.

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Robert J. DiStasio, et al.

Serial No. 10/015,408

Examiner James Smith

Filed: December 12, 2001

Group 3723

For: Removal Tool for Locking Nut, Bolt and Clip Systems and Assemblies

Communication

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a further response to the Notice of Abandonment dated December 23, 2003. Please debit or credit Deposit Account No.03-1231 for any overpayments/underpayments.

On February 7, 2003 applicant filed a response via facsimile to the Communications from the U.S. Patent and Trademark Office dated December 16, 2002 and January 31, 2003. A copy of that response with the facsimile cover sheet and our send confirmation report are enclosed. Applicant's attorney and paralegal have had numerous telephone conversations with Supervisor Joseph J. Hail, III regarding this case and have sent Mr. Hail, via telefax, copies of the response, request to withdraw holding of abandonment, telefax confirmation sheets. Copies of all documents showing attempts to take care of this matter are attached.

It is respectfully requested that the abandonment of this application be withdrawn and that this case proceed to allowance.

Respectfully submitted,


Robert C. Kain, Jr.

Reg. No. 30,648

Fleit, Kain, Gibbons, Gutman, Bongini & Bianco, P.L.

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Feb 12, 2004

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SEND CONFIRMATION REPORT for
FKGG*FTL--KAIN
954 768 0158
Feb-12-04 7:08AM

Job	Start Time	Usage	Phone Number or ID	Type	Pages	Mode	Status
808	2/12 7:06AM	1'52"	USPTO	Send.....	8/ 8	EC144	Completed.....
Total		1'52"	Pages Sent: 8		Pages Printed: 0		

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FACSIMILE COVER SHEET

In re Application of Robert J. DiStasio, et al
Serial No. 104015406

Filed: December 12, 2001

For: REMOVAL TOOL FOR LOCKING NUT, BOLT AND CLIP SYSTEMS AND ASSEMBLIES

Calling: 703-746-3267

Number of pages including cover sheet: 8

Attention: Joseph J. Hail, III

From: Ellen Kotler for Robert C. Kain, Jr.
Flett, Kain, Gibbons, Gutman, Bongini & Bianco, P.L.
750 Southeast Third Avenue, Suite 100
Fort Lauderdale, Florida 33318-1153

Return Fax Number: 954-768-0158

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Mr. Hail: - This is the 3rd time this has been faxed to you.

Confirming our telephone conversation on January 28, 2004, attached are copies of our Request to Withdraw Holding of Abandonment Response with Facsimile Cover Sheet and Send Confirmation Report in the above case. We filed a timely response on February 7, 2003 to an Office Action dated January 31, 2003. Can you please help us with this case which should not have gone abandoned.

Thank you.

Ellen Kotler, Paralegal

11/12/04 10:00:00 FAX TRANSMISSION REPORT

**FLETT, KAIN,
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FACSIMILE COVER SHEET

In re Application of Robert J. DiStasio, et al
Serial No. 10015408

Filed: December 12, 2001

For: REMOVAL, TOOK FOR LOCKING NUT, BOLT AND CLIP SYSTEMS AND ASSEMBLIES

Calling: 703-746-3267

Number of pages including cover sheet: 8

Attention: Joseph J. Hall, III

From: Ellen Kotler for Robert C. Kain, Jr.
Flett, Kain, Gibbons, Gutman, Bongini & Bianco, P.L.
750 Southeast Third Avenue, Suite 100
Fort Lauderdale, Florida 33316-1153

Mercury Fax Number: 954-768-0158

IF YOU DO NOT PROPERLY RECEIVE THIS FAX PLEASE CALL (954-768-9002)

Mr. Hall:

Confirming our telephone conversation on January 28, 2004, attached are copies of our Request to Withdraw Holding of Abandonment, Response with Facsimile Cover Sheet and Send Confirmation Report in the above case. We filed a timely response on February 7, 2003 to an Office Action dated January 31, 2003. Can you please help us with this case which should not have gone abandoned.

Thank you,

Ellen Kotler, Paralegal

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Total 5:18 Pages Sent: 8 Pages Printed: 0

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A-2

HP LaserJet 3100
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SEND CONFIRMATION REPORT for
FKGGGB*FTL--KAIN
954 768 0158
Jan-29-04 11:34AM

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Printer/Fax/Copier/Scanner

SEND CONFIRMATION R.
FKGG*FTL--KAIN
954 768 0158
Jan-28-04 11:16AM

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Total		1'48"	Pages Sent: 8	Pages Printed: 0			

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FACSIMILE COVER SHEET

In re Application of Robert J. DiStasio, et al

Serial No. 10015,408

Filed: December 12, 2001

For: REMOVAL TOOL FOR LOCKING NUT, BOLT AND CLIP SYSTEMS AND ASSEMBLIES

Calling: 703-746-3267

Number of pages including cover sheet: 8

Attention: Joseph J. Hall, III

From: Ellen Kotter for Robert C. Kain, Jr.
Fleit, Kain, Gibbons, Gutman, Bongini & Bianco, P.L.
750 Southeast Third Avenue, Suite 100
Pt. Lauderdale, Florida 33316-1153

Return Fax Number: 954-768-0158

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Mr. Hall:

Confirming our telephone conversation on January 28, 2004, attached are copies of our Request to Withdraw Holding of Abandonment; Response with Facsimile Cover Sheet and Send Confirmation Report in the above case. We filed a timely response on February 7, 2003 to an Office Action dated January 31, 2003. Can you please help us with this case which should not have gone abandoned.

Thank you.

Ellen Kotter, Paralegal

U:\F\Kain\KOTTER\KOTTER\1017740 TRANSLATE 1.000000

A-3

**FLEIT, KAIN,
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BONGINI & BIANCO P.L.**
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FACSIMILE COVER SHEET

In re Application of Robert J. DiStasio, et al

Serial No. 10/015,408

Filed: December 12, 2001

For: REMOVAL TOOL FOR LOCKING NUT, BOLT AND CLIP SYSTEMS AND
ASSEMBLIES

Calling: 703-746-3267

Number of pages including cover sheet: 8

Attention: Joseph J. Hail, III

From: Ellen Kotler for Robert C. Kain, Jr.
Fleit, Kain, Gibbons, Gutman, Bongini & Bianco, P.L.
750 Southeast Third Avenue, Suite 100
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Return Fax Number: 954-768-0158

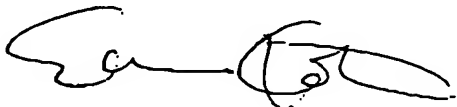
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Mr. Hail: - This is the 3rd time this has been
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Thank you.

Ellen Kotler, Paralegal



\\Figerdata\share\KCK\CLIENTS\BALL\6177-16 TRANS.FAX.1-28-04.wpd

A-4

**FLEIT, KAIN,
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BONGINI & BIANCO P.L.**
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FACSIMILE COVER SHEET

In re Application of Robert J. DiStasio, et al

Serial No. 10/015,408

Filed: December 12, 2001

For: REMOVAL TOOL FOR LOCKING NUT, BOLT AND CLIP SYSTEMS AND
ASSEMBLIES

Calling: 703-872-9302

Number of pages including cover sheet: 6

Attention: Examiner James Smith
Group 3723

From: Robert C. Kain, Jr.
Fleit, Kain, Gibbons, Gutman, Bongini & Bianco, P.L.
750 Southeast Third Avenue, Suite 100
Ft. Lauderdale, Florida 33316-1153

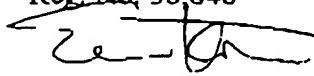
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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following Request to Withdraw Holding of Abandonment (1 pg.), Response with Facsimile Cover Sheet and Send Confirmation Report (4 pgs.) in the above captioned case are being facsimile transmitted to the U.S. Patent and Trademark Office, Examiner James Smith, Fax Number 703-872-9302 on the date shown below.

Robert C. Kain, Jr.
Reg. No. 30,648



Date: December 30, 2003

12/30/2003 09:10 305-41 489

FKGBB MIAMI

PAGE 03/03

Sent By: FKGBB*FTL--KAIN;

954 768 0158;

Dec-30 9:10AM;

Page 3/3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENTS

In re Application of Robert J. DiStasio, et al.

Serial No. 10/015,408

Examiner James Smith

Filed: December 12, 2001

Group 3723

For: Removal Tool for Locking Nut, Bolt and Clip Systems and Assemblies

Request to Withdraw Holding of Abandonment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

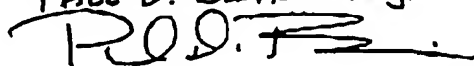
Sir:

This is a response to the Notice of Abandonment dated December 23, 2003. Please debit or credit Deposit Account No.03-1231 for any overpayments/underpayments.

On February 7, 2003 applicant filed a response via facsimile to the Communications from the U.S. Patent and Trademark Office dated December 16, 2002 and January 31, 2003. A copy of that response with the facsimile cover sheet and our send confirmation report are enclosed.

It is respectfully requested that the abandonment of this application be withdrawn and that this case proceed to allowance.

Respectfully submitted,

PAUL D. BIANCO Reg. No. 43,500


For

Robert C. Kain, Jr.

Reg. No. 30,648

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CONFIRMATION REPORT for
FKGG*FTL--KAIN
954 768 0158
Feb-7-03 3:35PM

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158	2/ 7 3:34PM	0'47"	703 305 3579	Send.....	3/ 3	EC144	Completed.....
Total		0'47"	Pages Sent: 3	Pages Printed: 0			

**FLETT, KAIN,
GIBBONS, GUTMAN
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FACSIMILE COVER SHEET

In re Application of Robert J. DiStasio, et al
Serial No. 10/013,408
Filed: December 12, 2001
For: REMOVAL TOOL FOR LOCKING NUT, BOLT AND CLIP SYSTEMS AND ASSEMBLIES

Calling: 703-305-3579
Number of pages including cover sheet: 3

Attention: Examiner James Smith
Group 3733

From: Robert C. Kain, Jr.
Flett, Kain, Gibbons, Gutman & Bongini, P.L.
750 Southeast Third Avenue, Suite 100
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Return Fax Number: 954-768-0158

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CERTIFICATION OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY THAT THE FOLLOWING RESPONSE (2 pgs) IN THE ABOVE CAPTIONED CASE IS BEING FACSIMILE TRANSMITTED TO THE PATENT AND TRADEMARK OFFICE, EXAMINER JAMES SMITH, FAX NUMBER 703-305-3579 ON THE DATE SHOWN BELOW.

Robert C. Kain, Jr.
Reg. No. 30,448

Date: February 7, 2003

STANDARD FORM NO. 64 (Rev. 12-13-81)

**FLEIT, KAIN,
GIBBONS, GUTMAN
& BONGINI P.L.**
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William R. Trueba, Jr. wtrueba@fleilkain.com

FACSIMILE COVER SHEET

In re Application of Robert J. DiStasio, et al

Serial No. 10/015,408

Filed: December 12, 2001

For: REMOVAL TOOL FOR LOCKING NUT, BOLT AND CLIP SYSTEMS AND
ASSEMBLIES

Calling: 703-305-3579

Number of pages including cover sheet: 3

Attention: Examiner James Smith
Group 3723

From: Robert C. Kain, Jr.
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Return Fax Number: 954-768-0158

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CERTIFICATION OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY THAT THE FOLLOWING RESPONSE (2 pgs) IN THE ABOVE
CAPTIONED CASE IS BEING FACSIMILE TRANSMITTED TO THE PATENT AND
TRADEMARK OFFICE, EXAMINER JAMES SMITH, FAX NUMBER 703-305-3579 ON THE
DATE SHOWN BELOW.

Robert C. Kain, Jr.
Reg. No. 30,648



Date: February 7, 2003

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Robert J. DiStasio, et al.

Serial No. 10/015,408

Examiner James Smith

Filed: December 12, 2001

Group 3723

For: Removal Tool for Locking Nut, Bolt and Clip Systems and Assemblies

RESPONSE

Commissioner for Patents
Washington, D.C. 20231
Box Non-Fee Amendment

Sir:

This is a response to the Communication dated January 31, 2003 and December 16, 2002.

Please debit or credit Deposit Account No.03-1231 for any overpayments/underpayments.

Applicant seeks to patent the combination of the removal tool and the locking nut and bolt claimed in claims 7 and 8 (generic) and specifically claim 13. See Figs. 116, 117, and the modification in FIGS. 92 and 93. Claim 13 relates to the combination of the tool and a specific locking insert. See FIGs. 30b, 30c, 30d, 30f and 30i for this locking nut insert. FIG. 30f shows the locking nut insert disposed in the nut. FIG. 30i shows a locking nut insert partially disposed within and partially extending outboard of the nut. This is a more complex system. In any event, the present invention relates to a removal tool in combination with the locking system. This election is without traverse.

Applicant retains the right to seeks patent protection on the removal tool in a divisional or a continuation patent application.

No traverse. Claims not specified herein do not fall within elected species. The inventorship is correct. The election set forth herein is consistent with the pending parent case. In the parent case, applicant generally elected to prosecute the locking nut insert, FIGS. 30b and 30c, and the locking insert disposed in the recess of the nut (FIGs. 30f, and 35e). The present case relates to a removal tool in combination with the insert.

Respectfully submitted,

Fleit, Kain, Gibbons, Gutman & Bongini, P.L.

By


Robert C. Kain, Jr.

Reg. No. 30,648

Suite 100

750 S.E. Third Avenue

Ft. Lauderdale, Florida 33316-1153

(954) 768-9002

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